

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
CHICAGO DIVISION**

In re:

**Malko K. Odishoo
Marina I. Odishoo**

Debtor.

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: **Case No.: 19-18897**
: **Chapter 13**
: **Judge Janet S. Baer**
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**OBJECTION OF BANK OF AMERICA, N.A. TO THE CONFIRMATION OF THE
PLAN (DOCKET NUMBER 2)**

Bank of America, N.A. ("Movant") by and through its undersigned counsel, objects to the confirmation of the currently proposed plan ("Plan") filed by Malko K. Odishoo and Marina I. Odishoo (collectively, "Debtor") as follows:

1. Movant holds a security interest secured by a mortgage lien on Debtor's property commonly known as 259 Dover Dr Unit O, Des Plaines, IL 60018 ("Property").
2. Movant filed a Proof of Claim in the amount of \$80,591.95. This amount includes a pre-petition arrearage in the amount of \$3,580.02.
3. Debtor's Plan improperly treats Movant's secured claim. Debtor asserts a third party, Debtor's daughter, will make post-petitions payments.
4. Upon information and belief, Debtor still holds an interest in the Property.
5. As a result, Debtor's Plan fails to meet the requirements of 11 U.S.C. §1325(a)(5) as it fails to provide for a secured claim. Movant requests that Debtor amend the Plan to either provide for or surrender Movant's claim.

WHEREFORE, Movant respectfully requests that the Court deny the confirmation of the Debtor's currently proposed Plan.

Respectfully submitted,

/s/ Sarah E. Barngrover

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Attorneys for Movant

The case attorney for this file is Umair M. Malik.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing Objection of Bank of America, N.A. to the Confirmation of the Original Plan was served on the parties listed below via e-mail notification:

U.S. Trustee, Patrick S. Layng, Office of the United States Trustee, Region 11, 219 S. Dearborn Street, Room 873, Chicago, IL 60604

Glenn B Stearns, 801 Warrenville Road Suite 650, Lisle, IL 60532,
mcguckin_m@lisle13.com

David M Siegel, Attorney for Malko K. Odishoo and Marina I. Odishoo, David M. Siegel & Associates, 790 Chaddick Drive, Wheeling, IL 60090, davidsiegelbk@gmail.com

The below listed parties were served via regular U.S. Mail, postage prepaid, on August 16, 2019:

Malko K. Odishoo and Marina I. Odishoo, 1201 Citation Lane, Hanover Park, IL 60133

Malko K. Odishoo and Marina I. Odishoo, 259 Dover Dr Unit O, Des Plaines, IL 60018

Pnc Mortgage, Po Box 8703, Dayton, OH 45401

/s/ Sarah E. Barngrover
